

## OFFICIALS

Joe Stear, Mayor  
Pat Jones, Council President  
Briana Buban-Vonder Haar, Council Member  
Richard Cardoza, Council Member  
Greg McPherson, Council Member



## CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho

### City Council Meeting AGENDA Tuesday, October 18, 2016

Please note the new City Hall location: 751 W 4<sup>th</sup> Street, Kuna, Idaho

#### 6:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Stan Johnson, Kuna Life Church
3. **Pledge of Allegiance:** Mayor Stear
4. **Consent Agenda:**

*All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.*

#### A. City Council Meeting Minutes:

1. Regular City Council Minutes, October 4, 2016

#### B. Accounts Payable Dated October 14, 2016 in the Amount of \$664,771.71

#### C. Final Plat

1. Consideration to approve 16-11-FP (Final Plat) - Applicant is requesting Final Plat approval for Sailer Shores Meadows residential Subdivision. The Final Plat for Sailer Shores Meadows proposes 26 residential lots and two (2) common lots on approximately 4.77 acres (APN #R0615251610)

#### D. Resolutions

1. Consideration to approve Resolution No. R75-2016 – Approving Resolution Accepting Easement from Emmett Partners, LLC for Water and Pressure Irrigation Mains

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

RESOLUTION APPROVING ACCEPTANCE OF A TEMPORARY EASEMENT ON PROPERTY OWNED BY EMMETT PARTNERS, LLC FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING WATER AND PRESSURE IRRIGATION MAINS

2. Consideration to approve Resolution No. R76-2016 – Approving the purchase of a 2016 Ford F-150

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE CITY OF KUNA, IDAHO'S FACILITIES DIRECTOR, BOB BACHMAN TO NEGOTIATE THE PURCHASE OF A 2016 FORD F-150 FOR \$28,597.44 AS PER HIS MEMORANDUM, ATTACHED HERETO AS EXHIBIT A; AUTHORIZING THE MAYOR TO EXECUTE THE PURCHASE AGREEMENT; AND AUTHORIZING THE CITY OF KUNA, IDAHO'S TREASURER, JOHN MARSH TO PAY THE INVOICE FOR THE 2016 FORD F-150 IN THE AMOUNT OF \$28,597.44 UPON RECEIPT.

3. Consideration to approve Resolution No. R77-2016 – Approving Agreement with ACHD for Paying Cost of Casing Sleeve Beneath 4th Street Bridge

RESOLUTION APPROVING AN AGREEMENT BETWEEN ADA COUNTY HIGHWAY DISTRICT AND THE CITY OF KUNA WHEREIN SAID CITY AGREES TO PAY SAID DISTRICT FOR THE COST OF INSTALLING A CASING SLEEVE BENEATH THE 4TH STREET BRIDGE; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER OF SAID CITY TO EXECUTE AGREEMENT DOCUMENTS WITH SAID DISTRICT.

4. Consideration to approve Resolution No. R78-2016 – Approving the Purchase of a 2016 RMT Mower

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE CITY OF KUNA, IDAHO'S FACILITIES DIRECTOR, BOB BACHMAN TO NEGOTIATE THE PURCHASE OF A 2016 RMT MOWER FOR \$55,985.00; AUTHORIZING THE MAYOR TO EXECUTE THE PURCHASE AGREEMENT; AND AUTHORIZING THE CITY OF KUNA, IDAHO'S TREASURER, JOHN MARSH TO PAY THE INVOICE.

**E. Findings of Fact and Conclusions of Law**

**5. Community Reports or Requests:**

1. Domestic Violence Awareness Month Presentation – Bea Black, Women's and Children's Alliance Executive Director

**6. Public Hearings:** (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. Public Hearing and consideration to approve 16-02-S (Subdivision) and 16-02-ZC (Rezone) – Trevor Kesner, Planner II

A-Team Land Consultants representing Don Young Land Company requests approval to subdivide the 22.88 acre site and rezone approximately 8.76 acres from the existing R-4 (Medium-Low Density Residential) to a C-1 (Neighborhood Commercial) zoning designation, and rezone the remaining approximately 14.04 acres from the existing R-4 (Medium-Low Density Residential) to an R-6 (Medium Density Residential), to create a 102 lot mixed use subdivision (Airenel Park). The site is located southeast of the intersection of South Orchard Avenue and East Avalon Street/Kuna Road and west of South Kay Avenue.

**7. Business Items:**

- A. Consideration to approve 16-04-LS (Lot Split) Thomas Maile with New Horizon Construction – Troy Behunin, Senior Planner

Consideration to approve a Lot Split, on a qualifying lot in Kuna, in order to prepare the lands for a preliminary plat that will be developed for eight residential lots, within an R-6 zone. Applicant proposes to connect this site with the Sailor Shores Meadows subdivision on its northern boundary with the existing stub street from Sailor Shores Meadows.

- B. Consideration to re-open the decision portion of the 16-01-ZC (rezone) and 16-01-S (Preliminary Plat) Oasis Properties, LLC hearing conducted on September 6, 2016, to pronounce its decision to remedy procedural due process concerns that occurred related to the request from Steve Arnold with A-Team Consultants to rezone approximately 6.3 acres from R-6 (Medium Density) to R-8 (Medium Density) residential zone and to subdivide the property creating a 20 lot subdivision (12 buildable lots and 8 common lots). This parcel is located at the south east corner of School Avenue and future Sunbeam Street (Alignment), Kuna, Idaho (APN #: S1326428020). - Troy Behunin, Senior Planner

- C. Consideration to approve Resolution No. R79-2016 – Rejection of Additional Insurance Coverage for Acts of Terrorism – John Marsh, City Treasurer

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO REJECT ADDITIONAL INSURANCE COVERAGE (COVERAGE OVER AND ABOVE THE LEVEL OF INSURANCE COVERAGE CURRENTLY PROVIDED FOR ACTS OF TERRORISM) OFFERED BY THE IDAHO COUNTIES RISK MANAGEMENT PROGRAM (ICRMP) FOR ACTS OF TERRORISM.

- D. Notice of Release of Development Agreement – Timbermist – Richard Roats, City Attorney

- E.** Consideration to approve Resolution No. R80-2016 – Approving the Memorandum of Understanding with the Kuna Joint School District No. 3 for Use of Fiber Optic Cable – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO  
AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF  
UNDERSTANDING BETWEEN THE CITY OF KUNA AND THE KUNA JOINT  
SCHOOL DISTRICT NO. 3 PROVIDING THE TERMS OF THE AGREEMENT  
FOR THE CITY’S USE OF THE SCHOOL DISTRICT’S FIBER OPTIC CABLE  
FOR ACCESS TO THE INTERNET FOR A TERM OF ONE (1) YEAR

- F.** Consideration to approve Resolution No. R81-2016 – Approving the Ada County Prosecuting Attorney Contract – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO  
AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE  
ADA COUNTY PROSECUTING ATTORNEY TO PROVIDE PROSECUTORIAL  
SERVICES FOR CITY MISDEMEANORS FOR THE FISCAL YEAR 2016-2017.

- G.** Consideration to approve Resolution No. R82-2016 – Approving the Electric Lightwave Agreement – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO  
AUTHORIZING THE SIGNATURE OF THE MAYOR ON THE AGREEMENT  
WITH ELECTRIC LIGHTWAVE THAT TRANSFERRED AND NOW  
PROVIDES INTERNET AND PHONE SERVICES AT THE KUNA CITY HALL,  
751 W. 4TH STREET, KUNA, IDAHO.

- H.** Consideration to approve Resolution No. R83-2016 Approving the Memorandum of Understanding Regarding the Expansion of Josh and Alicia Carver’s Septic System – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO  
AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF  
UNDERSTANDING BETWEEN THE CITY OF KUNA, IDAHO AND JOSH  
AND ALICIA CARVER REGARDING THE EXPANSION OF THE CARVER’S  
SEPTIC SYSTEM AND AUTHORIZING THE CITY TO RECORD SAID  
MEMORANDUM.

- I.** Consideration to approve Resolution No. R84-2016 Approving the Ada County Sheriff’s Office Contract – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING  
THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY  
SHERIFF FOR LAW ENFORCEMENT SERVICES FOR THE CITY OF KUNA,  
IDAHO

**8. Ordinances:**

- A.** Consideration to approve Ordinance No. 2016-31 Adding a Park Standards Chapter to Kuna Municipal Code

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of ordinance*

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING THE CITY OF KUNA'S MUNICIPAL CODE BY ADDING A NEW CHAPTER ENTITLED "KUNA PARK STANDARDS THAT PROVIDES FOR DEVELOPMENT STANDARDS FOR NEW CITY PARKS; PROVIDES FOR A SEVERABILITY CLAUSE; PROVIDES FOR A REPEALER CLAUSE; AND PROVIDES FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

- B.** Consideration to approve Ordinance No. 2016-32 Annexing Memory Ranch Subdivision No. 1 into the Kuna Municipal Irrigation District

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of ordinance*

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF PARCEL S1303111800, AND REFERRED TO AS MEMORY RANCH SUBDIVISION NO. 1, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NAMPA-MERIDIAN IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

**9. Mayor/Council Discussion Items:**

**10. Announcements:**

**11. Executive Session:**

**12. Adjournment:**